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1 IN THE UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF GEORGIA
3 MACON DIVISION

4 ROGER PARKER, ON HIS OWN
5 BEHALF AND ON BEHALF OF
6 ALL OTHERS SIMILARLY
7 SITUATED,

8 Plaintiffs, CIVIL ACTION FILE
9 vs. NO. 5:22-CV-00268-TES
PERDUE FOODS, LLC,

Defendant.

10
11 VIDEOTAPED DEPOSITION
12 of
13 ROGER PARKER

14 November 9, 2023
15 9:00 a.m.

16
17 Johnson Marlowe
18 335B Oconee St.
19 Athens, Georgia

20
21 ANGELA ADAMS, RPR, CCR-B-1404
22
23
24
25

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1 A. I can't tell you. I mean, it has been --
2 something to do with equipment.

3 Q. Okay. It was an equipment issue?

4 A. Yes.

5 Q. And what makes you believe it was an
6 equipment issue?

7 A. Because I had a construction company, and
8 that's what I do.

9 Q. Okay.

10 A. Or what I did.

11 Q. So you had a company that sold and serviced
12 equipment?

13 A. Uh-huh (affirmative).

14 Q. Yes?

15 A. Yes, I did.

16 Q. Okay. And you had that company during the
17 time you also worked as a grower associated with
18 Purdue?

19 A. Well, there was a time I did, yes.

20 Q. Okay. What time period did you have that
21 construction company?

22 A. I would say 2010 until probably 2018 or so
23 right in there when I shut it down. '17 maybe. I
24 don't know exact.

25 Q. Why did you shut the equipment company down

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1 looking at.

2 Q. Okay. So you said, hey, I want to purchase
3 this farm, actually?

4 A. Right. Yeah.

5 Q. And then what happens after you identify for
6 them the farm that you want to purchase?

7 A. I had an interview with Perdue, and they
8 said I was -- you know, I could purchase it and they,
9 of course, wanted to meet with me first; and I did
10 that, and then I moved forward to buy the farm.

11 Q. Okay. So did then you enter into a contract
12 at some point with Perdue?

13 A. Yes.

14 Q. Okay. Is that before or after you buy the
15 farm?

16 A. I can't remember, but I think it's prior for
17 the bank purpose.

18 Q. Jumping back for a second, for ConAgra what
19 kind of birds did you raise there?

20 A. ConAgra?

21 I think they were large.

22 Q. Also broilers?

23 A. Yes.

24 Q. Okay. All right. So when you enter into
25 the contract to purchase the farm that you ultimately

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1 use to do -- to grow the birds under contract with
2 Perdue, do you have to do any capital investments
3 before you can sign the contract?

4 A. Yes.

5 Q. And what capital investments did you have to
6 make before you could enter into the contract?

7 A. Whatever the -- I don't know what the
8 upgrade position was they had me to, but if I remember,
9 Allen may have done those before.

10 Q. Okay. So the prior owner of it, might have
11 done the upgrades before you even took over the farm?

12 A. Right.

13 Q. And so that was my question.

14 Did you have to -- do you recall making any
15 changes or improvements after you purchased the farm
16 but before you could begin your contract with Perdue?

17 A. Before? No. Not before I did my contract.
18 I don't think so.

19 Q. Okay. So --

20 A. But shortly after.

21 Q. So in that discussion, having talked it
22 through, does that refresh your memory as to whether or
23 not the prior owner had already had the farm in order
24 such that you could just take it over and start doing
25 the work?

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1 have help. But most of the time, I did it. You know,
2 but every now and then.

3 Q. Other than placing birds, any other work
4 that you had helpers, you paid helpers to do?

5 A. Just like the keeping stuff up and upgrades
6 that seemingly come often.

7 Q. So upkeep, upgrades?

8 A. Yeah.

9 Q. Okay. Any other work that you hired helpers
10 or assistants to do?

11 A. I can't think of any.

12 Q. Did you have to get approval from Perdue to
13 hire these assistants?

14 A. If we had workers, they like to approve the
15 worker, you know, to make sure they are good, the
16 individual.

17 Q. Okay. My question was: Did Perdue require
18 you to get their approval before you could hire
19 somebody to help work on your farm?

20 MR. WADDELL: Objection to the
21 form. It has been asked and answered
22 already.

23 THE WITNESS: Well, actually, like
24 I said, if I hired somebody to work the
25 farm, they wanted to interview the

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1 person that worked for me in order to
2 work that guy.

3 BY MR. ETTER:

4 Q. Okay. So every worker that you had on your
5 farm was interviewed by Perdue?

6 A. If they were long-term, yeah. I'm not
7 talking about the guy that just places birds one day,
8 but if they were long-term, people that might have, you
9 know, helped.

10 Q. So what long-term helpers have you had?

11 A. Brian Bachelor, and there's a Hispanic guy
12 that helped me a good while. I'm trying to remember.

13 Q. Okay. And what years did Brian Bachelor
14 help you?

15 A. It was the earlier growing -- let's see.
16 When I did start? '14, I think was the year we
17 started. Probably -- I think Brian worked there three
18 or four years.

19 Q. And how about the Hispanic guy? How many
20 years did he work and what years?

21 MR. WADDELL: Objection.

22 Compound.

23 THE WITNESS: Brian -- let's see.

24 Brian worked that farm -- I was working
25 at Parker Poultry at the time. So I

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1 Placement days more than catch.

2 Q. Placement. Okay.

3 Not catch days, you didn't have assistants?

4 A. Normally, no.

5 Q. Okay.

6 A. No, I didn't.

7 Q. So on placement days, you typically had
8 assistants?

9 A. Sometimes. Not -- I mean, not all the time.

10 Q. It just depends?

11 A. According to -- it's according to how many
12 houses they placed. If we had to do all six houses at
13 once, then you -- it's tiresome. You are unloading
14 30,000 chickens per house and you got six houses.
15 That's a -- and you can't just fling them. You got to
16 gently put them out in a crate at a time. You get
17 tired.

18 Q. Okay.

19 A. And you know, they set that schedule. I
20 don't. I only know when they tell me birds are coming.
21 I don't have a -- I can't -- I don't have any say-so in
22 that.

23 Q. And how many -- in the -- if there's a
24 typical year, we will say a typical year, how many
25 catch days are there?

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1 your wife were both working it; right?

2 A. At times, yeah.

3 Q. Did you work the same number of hours every
4 week?

5 A. Not necessarily.

6 Q. Okay. And so how was that determined?

7 A. Determined by whatever they needed done.

8 Q. Okay. But who determined which of the two
9 of you would do the work?

10 A. Well, if it was maintenance and stuff like
11 that, normally, I handled that. She helped work the
12 birds, like pick up dead in the mornings and stuff.

13 Q. Okay. And so she -- you did more of the
14 maintenance and upkeep, equipment-related type work?

15 A. And I picked up, too.

16 Q. And she did most of the, kind of, actual
17 raising, farming, checking the chickens, hand-on work?

18 MR. WADDELL: Objection to the
19 form; misstate's the witness's
20 testimony.

21 THE WITNESS: We both did that, so
22 no.

23 BY MR. ETTER:

24 Q. Okay. So what is the non-maintenance work
25 that was her focus that you mentioned?

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1 Follow these guidelines unless authorized by flock
2 advisor.

3 Q. You can take your time.

4 Would you mind reviewing -- we will just do
5 the first two pages, and see if any of those guidelines
6 in any way vary from what you recall being subject to
7 while you were a grower for Perdue?

8 MR. ETTER: Objection; asked and
9 answered, calls for speculation.

10 THE WITNESS: It looks like pretty
11 much what we was made to do.

12 BY MR. WADDELL:

13 Q. Were you subject to guidelines like those on
14 pages Parker 31 and Parker 32 for the entire time that
15 you worked for Perdue?

16 MR. ETTER: Objection; asked and
17 answered, calls for speculation.

18 THE WITNESS: Yes. Yes. They --
19 I mean, we had a catch regimen. We had
20 placement regimen. They had the hours
21 set. We followed the instructions.

22 These are them.

23 BY MR. WADDELL:

24 Q. Did you understand during the entire time
25 that you worked for Perdue that these, quote, from the

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1 wouldn't be good, though.

2 Q. How many days leading up to the delivery of
3 chicks did the work that you described require?

4 MR. ETTER: Objection; asked and
5 answered.

6 THE WITNESS: If we had usually 20
7 days, that's -- that gives you enough
8 time where you don't have to work night
9 and day to do it. You could work a,
10 you know, normal day's shift; but if
11 they were lower, you know, if they
12 lowered that, then you really would
13 have to dig in and either hire help or,
14 you know, work longer hours. When you
15 can't afford the help, you worked
16 longer hours.

17 BY MR. WADDELL:

18 Q. So your hours were dictated by Perdue's
19 needs?

20 MR. ETTER: Objection; form.

21 THE WITNESS: I'm sure. No other.

22 BY MR. WADDELL:

23 Q. When Perdue came to catch chickens, did you
24 decide what time?

25 A. No.

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1 Q. Who decided?

2 A. Well, they would call me.

3 We would find out through our supervisor
4 when they were going to come catch, and then they would
5 give us -- Perdue would say this time is when this
6 house is going to start.

7 So prior to that, you have got to have all
8 the feed lines in the air, all the waterlines in the
9 air raised to the ceiling of the house, all the dead
10 birds picked up out of the house ready for them to come
11 and start, and you had to have it by the time that they
12 had allotted, you know, for the catch crew to be there.

13 The only change would be in that is, I mean,
14 I have had a catch crew go to the wrong farms before,
15 do different stuff. I have had to lower my waterlines
16 back and even though they haven't drank because we have
17 a regimen set up prior to the catch where they have to
18 be off of food and water for so many hours.

19 So we would have to pull the feed lines up,
20 you know, so many hours prior to the catch time and
21 leave the water lines down and let them drink and then
22 raise the waterlines and feed lines when they actually
23 got there when you see, basically, I would say when you
24 see the white of their eyes; but it's the time that
25 usually that Perdue sets for us to catch.

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1 Q. I believe you just testified there was a
2 regimen of when food had to be removed.

3 Who set that regimen?

4 MR. ETTER: Objection;
5 misrepresents testimony, asked and
6 answered.

7 THE WITNESS: It's in the book.

8 It's in the book, I believe, where
9 catch times and all are set by them and
10 how to do it, you know, exactly the
11 process, the regimen process goes.

12 BY MR. WADDELL:

13 Q. How long would catch typically take for all
14 of the houses on the farm?

15 A. My six-house farm, I'll just use it for
16 example. Say if we are started early evening that day,
17 it's based a lot on how fast the trucks get there and
18 go to the plant and come back; but normally, I would
19 work, get the first house ready, you know. I have
20 already, you know, had them off feed. I've already
21 gone through that regimen of whatever, you know, the
22 desired is, hours, and had everything ready for the
23 catch crew. See the catch crew. I've raised the
24 waterlines. The catch crew would come in, whether it
25 be a machine that catches them or by hand. They have

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1 employees that come, I think, catch them by hand.

2 And then, usually, it takes around two and a
3 half to three hours to catch a house, and you have got
4 to have the next house ready and they give you all the
5 cut feed times, when to cut it and then raise the feed
6 times, when to raise it.

7 Each time, you get a piece of paper usually
8 from the -- or a call saying raise -- cut the feed at
9 this time. Raise the feed at this time on each house,
10 and you have to basically go by that and catch each
11 house back to back, and we would work, usually, three
12 houses a day or an evening.

13 We would do three, but that means I'm up --
14 I may catch a nap here and there, but that is 24 pretty
15 much me. Time I get them ready in the morning one day
16 for that catch that night, I work all that night
17 through into the next day when they finish, you know,
18 catching those three, and then I have got to have the
19 next three ready for the next day.

20 So I'm still not asleep. You know, just a
21 nap and run. Start to get the next three houses ready,
22 and they have the catch times laid out for those just
23 like they do the others. The catch crew comes, and
24 that's how that works, you know.

25 Q. So in total, it sounds like that is two

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1 days; is that correct?

2 A. Yeah. Many times. It is two days you get
3 little to no rest on those two days.

4 Q. And remind me, how many times a year did you
5 say catch happened?

6 A. I have had up to eight, but I have done
7 normally seven.

8 Q. Okay. Earlier you mentioned that you paid
9 some helpers a salary.

10 How often did you pay those folks?

11 A. Weekly. Yeah. Salary to me means just a
12 week of work. We had agreed to -- this is what all you
13 got to do. This is what they require. No different
14 than me doing it or them doing it. You know, they
15 agreed to a weekly salary for doing it and --

16 Q. When they were performing that work, where
17 did they live?

18 A. They lived there on the farm. Their rent
19 was free. Their lights was free. Of course, water. I
20 had a well so that was free. I supplied everything and
21 gave them a salary per week.

22 MR. WADDELL: Okay. That's all I
23 have got.

24 MR. ETTER: I just have a couple.

25 THE WITNESS: Okay.